

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

APPLICANT

V.

CIVIL ACTION NO.: 3:09MC45–SA

GILLIS HEATING AND AIR

RESPONDENT

ORDER DENYING  
MOTIONS AS MOOT

Presently before the Court is an Application for an Order to Show Cause Why an Administrative Subpoena Should Not Be Enforced [1] filed by the Equal Opportunity Employment Commission (“EEOC”), and an Application for Entry of Default [6].

This is an action for enforcement of an administrative subpoena issued by EEOC pursuant to Title VII of the Civil Rights Act of 1964. In July 2008, five former employees of Gillis Heating and Air filed separate charges of discrimination with the EEOC alleging that Respondent violated Title VII. Specifically, the former employees alleged that Respondent discriminated against them on the basis of race when their employment was terminated and they were replaced by persons outside their protected category. The EEOC sent Respondent notice of the charge and began to investigate whether Title VII indeed had been violated.

In order to investigate the charge, the EEOC sought certain information from Respondent about the former employees. After no response from Respondent, the EEOC called Respondent in an attempt to gather the information. Respondent failed to return calls or otherwise respond to the EEOC’s request for information.

This Court held a show cause hearing on January 6, 2010. Respondent appeared and the Court allowed Respondent until February 8, 2010, to comply with the EEOC’s subpoena. EEOC’s

Counsel informed the Court that Respondent has complied with the subpoena. Thus, EEOC's Application for an Order to Show Cause Why an Administrative Subpoena Should Not Be Enforced [1] and Application for Entry of Default [6] are DENIED AS MOOT.

SO ORDERED, this the 5th day of April, 2010.

/s/ Sharion Aycock  
UNITED STATES DISTRICT JUDGE